

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

January 13, 2011

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF#10MD-218

Maui

Issuance of Revocable Permit to MC&A, Inc. for a Team Building Event at Wailea Beach, Maui, Tax Map Key: (2) 2-1-008: seaward of 109.

APPLICANT:

MC&A, Inc. whose business and mailing address is 615 Piikoi Street, Suite 1000, Honolulu, Hawaii 96814.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Wailea, Maui identified by Tax Map Key: (2) 2-1-008: seaward of 109, as shown on the attached map labeled Exhibit A.

AREA:

900 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State constitution: YES \_\_\_\_\_ NO x

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Team building canoe regatta and beach activities (games).

TERM:

February 3, 2011 from 8:00 am to 2:00 pm

February 4, 2011 from 8:00 am to 2:00 pm

RENTAL:

\$90.00 rental fee per day. Total area of requested use is 900 square feet. (Rental based on \$.10 per square feet, 900 sq. ft. x .10 = \$90.00 x 2 days = \$180.00) Total amount due: \$180.00.

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>x</u>	NO	_____
Registered business name confirmed:	YES	<u>x</u>	NO	_____
Applicant in good standing confirmed:	YES	<u>x</u>	NO	_____

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for team building and beach activities (games) in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in form of a revocable permit.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from government or community agencies.

MC&A, Inc. is requesting a right-of-entry permit for The Brocade Company, who is wishing to utilize a portion of Wailea Beach for a team-building event, which will include a canoe regatta and other miscellaneous beach activities. The event is scheduled for February 3 and 4, 2011. Set up will start at 8:00 a.m. and breakdown by 2:00 p.m. on both days. The actual event will run for approximately 3 hours from 10:00 a.m. to 1:00 p.m. each day.

There are no other pertinent issues or concerns. Staff has no objections to this request.

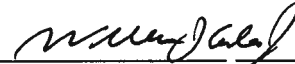
RECOMMENDATION: That the Board:

1. Authorize the issuance of a revocable permit to MC&A Inc. covering the subject area for team building / canoe regatta activity purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
  - b. Review and approval by the Department of the Attorney General; and
  - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
Larry Pacheco  
Land Agent

APPROVED FOR SUBMITTAL:

  
William Aila, Jr. Interim Chairperson

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## Wailea Beach

MC&A Inc. Event  
PSF#10MD-218

Event Site  
900 sq. ft. area

The Grand Wailea Resort  
(2) 2-1-008-1000

Four Seasons Reso  
4-023-007

Exhibit (A)



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

January 13, 2011

WILLIAM J. AILA, JR.  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI  
INTERIM FIRST DEPUTY

WILLIAM M. TAM  
INTERIM DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**EXEMPTION NOTIFICATION**

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Issuance of Revocable Permit to MC&A, Inc. for a Teambuilding Event

Project / Reference No.: 10MD-218

Project Location: Wailea Beach, Maui, TMK No.: (2) 2-1-008: seaward of 109

Project Description: Teambuilding canoe regatta and beach activities

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rules, Section 11-200-8(A), the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No.1, that states: "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of sue beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water or vegetation."

The proposed activity has historically and routinely occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such, staff believes that the proposed event use would involve negligible or no expansion or change in use beyond that previously existing.

Recommendation: It is recommended that the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

**EXHIBIT "B"**

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William J. Aila, Jr.  
Interim Chairperson

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Date